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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/789,859	02/27/2004	Kent Ashby	15499.450.2	8490

22913 7590 09/28/2006

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EXAMINER	
TRAN, HANH VAN	
ART UNIT	**PAPER NUMBER**
3637	

DATE MAILED: 09/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/789,859	ASHBY ET AL.	
	Examiner	Art Unit	
	Hanh V. Tran	3637	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 July 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-29* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-29* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *27 February 2004* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *8/12/04 & 8/30/04*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This is the First Office Action on the Merits from the examiner in charge of this application in response to applicant's amendment dated 7/10/2006.

Election/Restrictions

2. Applicant's election without traverse of Species III, Subspecies A in the reply filed on 7/10/2006 is acknowledged.

Drawings

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the limitation in (1) claims 2, 12, 15, 17 of the upper portion can be selectively removed from one recesses and received in another recesses, and (2) claims 3, 5, 13, 16 of the length of the upper portion of the leg being adjustable in length, and (3) claim 8 of a triggered mechanism attached to the upper portion of the leg must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for

consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

4. The drawings are objected to because in figure 31, numeral "150" should be "154". Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

5. The disclosure is objected to because of the following informalities: page 45, paragraph # 0141, line 5, "150" should be "154".

Appropriate correction is required.

Claim Objections

6. Claims 4, 9 and 16 are objected to because of the following informalities: (1) claim 4, line 1, "a opening" should be "an opening", (2) claim 9, one or clips" should be "one or more clips", and (3) claim 16 is objected to for have the same limitation as claim 13. Appropriate correction is required.

Claim Rejections - 35 USC § 112

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 2, 3, 9, 13, 16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In regard to claim 2, since claim 1 recited only two pairs to recesses, with one pairs to receive the first leg, and the other pairs to receive the second leg, the recitation in claim 2 of the upper portion of the first leg can be selectively removed from one of the leg receiving recesses and received within another of the leg receiving recesses renders the claim indefinite for failing to clearly define the number of the recesses. In regard to claim 3, since claim 1 recited only two pairs to recesses, with one pairs to receive the first leg, and the other pairs to receive the second leg, the recitation in claim 3 of, in a first position, the first leg can be inserted

into "a desired pair of leg receiving recesses", and, in a second position, the first leg can be secured within "a desired pair of leg receiving recesses" renders the claim indefinite for failing to clearly define the metes and bounds of the claimed invention (the receiving recesses in both the first and second positions being recited as "a desired pair".) In regard to claim 9, since line 1 recited one or clips (which is just one clip), the recitation on line 2 of "the clips" lacks antecedent basis, thus indefinite. In regard to claims 13 and 16, the recitation of, in a first position, the first leg can be inserted into "a desired pair of leg receiving recesses", and, in a second position, the first leg can be secured within "a desired pair of leg receiving recesses" renders the claim indefinite for failing to clearly define the metes and bounds of the claimed invention (the receiving recesses in both the first and second positions being recited as "a desired pair".)

Double Patenting

9. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

10. Claims 1-29 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-39 of U.S. Patent No. 7,059,254 to Strong et al in view of U.S. Patent No. 3,123,935 to Williams. Claims 1-39 of Strong et al teaches all the limitations recited in claims 1-29 of the pending application. The different being that Strong does not disclose the table top having a drawer provided thereto. Williams teaches the idea of providing a table top with a drawer thereto in order to allow one or more items to be stored in the drawer. Therefore, it would have been obvious at the time of the invention to modify the structure of Strong et al by providing the table top with a drawer in order to allow one or more items to be stored in the drawer, as taught by Williams, since both teach alternate conventional table top structure, used for the same intended purpose of supporting objects thereon, thereby providing structure as claimed.

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

12. The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

13. Claims 1-29 are rejected under 35 U.S.C. 103(a) as being obvious over U.S. Patent No. 7,059,254 to Strong et al in view of U.S. Patent No. 3,123,935 to Williams.

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art only under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 103(a) might be overcome by: (1) a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not an invention "by another"; (2) a showing of a date of invention for the claimed subject matter of the application which corresponds to subject matter disclosed but not claimed in the reference, prior to the effective U.S. filing date of the reference under 37 CFR 1.131; or (3) an oath or declaration under 37 CFR 1.130 stating that the application and reference are currently owned by the same party and that the inventor named in the application is the prior inventor under 35 U.S.C. 104, together with a terminal disclaimer in accordance with 37 CFR 1.321(c). This rejection might also be overcome by showing that the reference is disqualified under 35 U.S.C. 103(c) as prior art in a rejection under 35 U.S.C. 103(a). See MPEP § 706.02(l)(1) and § 706.02(l)(2).

Strong et al teaches all the limitations recited in claims 1-29 of the pending application. The different being that Strong does not disclose the table top having a drawer provided thereto. Williams teaches the idea of providing a table top with a

drawer thereto in order to allow one or more items to be stored in the drawer. Therefore, it would have been obvious at the time of the invention to modify the structure of Strong et al by providing the table top with a drawer in order to allow one or more items to be stored in the drawer, as taught by Williams, since both teach alternate conventional table top structure, used for the same intended purpose of supporting objects thereon, thereby providing structure as claimed.

14. Claims 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over USP 4,168,669 to Arnoff in view of 3,123,935 to Williams.

Arnoff discloses a table comprising all the elements recited in the above listed claims including, such as shown in Figs 2, 4-5 & 8, a table top 1 constructed from plastic, the table top including an upper surface and a lower surface that is spaced apart from the upper surface; at least two pairs of leg receiving recesses 20-22 disposed on the underside of the table top; a single support assembly 2 that is sized and configured to support the table top above a surface, the single support assembly being capable of moving between an extended position in which the single support assembly supports the table top above the surface and a collapsed position to facilitate storage of the table, the single support assembly including only two legs 23-24, the single support assembly comprising: a first leg including a body portion and an upper portion, the upper portion of the first leg being sized and configured to be selectively received and retained within one of the pairs of leg receiving recesses; and a second leg including a body portion and an upper portion, the upper portion of the second leg being sized and configured to be selectively received and retained within another of the pairs of leg receiving

recesses, the first leg and second leg being pivotally interconnected to form a generally X-shaped configuration. In regard to claim 2, wherein the upper portion of the first leg can be selectively removed from one of the leg receiving recesses and received within another of the leg receiving recesses to allow a height of the table to be adjusted. The different being that Arnoff does not disclose a drawer slidably connected to the lower surface of the table top.

Williams teaches the idea of providing a table top with a drawer thereto in order to allow one or more items to be stored in the drawer. Therefore, it would have been obvious at the time of the invention to modify the structure of Arnoff by providing the table top with a drawer in order to allow one or more items to be stored in the drawer, as taught by Williams, since both teach alternate conventional table top structure, used for the same intended purpose of supporting objects thereon, thereby providing structure as claimed.

In regard to claim 17,

15. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Arnoff, as modified, as applied to claim 1 above, and further in view of USP 2,697,018 to Georgides.

Arnoff, as modified, discloses all the elements as discussed above except for a length of the upper portion of the first leg is adjustable in length between a first position in which the first leg can be inserted into a desired pair of leg receiving recesses and a second position in which the first leg can be secured within another desired pair of leg receiving recesses.

Georgides discloses a table comprising a table top, two pairs of leg receiving recesses 9,33 disposed on the underside of the table top, a support assembly comprising a first leg including a body portion and an upper portion, wherein the body portion of the leg is defined as the distal end portion of member 27 shown in Fig 1, and the upper portion is defined as the rest of member 27 and member 23; a second leg 4; wherein a length of the upper portion of the first leg is adjustable in length between a first position in which the first leg can be inserted into a first desired pair of leg receiving recesses and a second position in which the first leg can be secured within a second desired pair of leg receiving recesses 33. The pairs of leg receiving recesses securely hold the first leg in the extended and collapsed positions. Therefore, it would have been obvious to modify the structure of Arnoff, as modified, by having a length of the upper portion of the first leg is adjustable in length between a first position in which the first leg can be inserted into a desired pair of leg receiving recesses and a second position in which the first leg can be secured within another desired pair of leg receiving recesses in order to securely hold the first leg in the extended and collapsed positions, as taught by Georgides, since both teach alternate conventional table having folding leg structure, used for the same intended purpose, thereby providing structure as claimed.

16. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Arnoff, as modified, as applied to claim 1 above, and further in view of USP 5,484,822 to Wu.

Arnoff, as modified, discloses all the elements as discussed above except for an opening integrally formed in a generally downwardly lip formed in the table top, the

opening being sized and configured to receive at least a portion of the first leg and the second leg when the first leg and second leg are in a collapsed position.

Wu teaches the use of an opening integrally formed in a generally downwardly lip formed in a table top to provide a recessed retainment to be old. Therefore, it would have been obvious to modify the structure of Arnoff, as modified, to include an opening integrally formed in a generally downwardly lip formed in the table top, the opening being sized and configured to receive at least a portion of the first leg and the second leg when the first leg and second leg are in a collapsed position, as taught by Wu, since both teach alternate conventional table having folding leg structure, used for the same intended purpose, thereby providing structure as claimed.

17. Claims 10-12, 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over USP 4,168,669 to Arnoff in view of 3,123,935 to Williams and USP 6,058,853 to Pinch.

Arnoff discloses a table comprising all the elements recited in the above listed claims including, such as shown in Figs 2, 4-5 & 8, a table top 1 constructed from plastic, the table top including an upper surface and a lower surface that is spaced apart from the upper surface; at least two pairs of leg receiving recesses 20-22 disposed on the underside of the table top; a single support assembly 2 that is sized and configured to support the table top above a surface, the single support assembly being capable of moving between an extended position in which the single support assembly supports the table top above the surface and a collapsed position to facilitate storage of the table, the single support assembly including only two legs 23-24, the single support assembly

comprising: a first leg including a body portion and an upper portion, the upper portion of the first leg being sized and configured to be selectively received and retained within one of the pairs of leg receiving recesses; and a second leg including a body portion and an upper portion, the upper portion of the second leg being sized and configured to be selectively received and retained within another of the pairs of leg receiving recesses, the first leg and second leg being pivotally interconnected to form a generally X-shaped configuration. In regard to claim 2, wherein the upper portion of the first leg can be selectively removed from one of the leg receiving recesses and received within another of the leg receiving recesses to allow a height of the table to be adjusted. The different being that Arnoff does not disclose a drawer slidably connected to the lower surface of the table top, and the table top constructed from blow-molded plastic including a lower surface, an upper surface spaced apart from the lower surface, and a hollow interior portion that is formed during the blow-molding process, the hollow interior portion being at least partially disposed between the upper surface and the lower surface.

Williams teaches the idea of providing a table top with a drawer thereto in order to allow one or more items to be stored in the drawer. Therefore, it would have been obvious at the time of the invention to modify the structure of Arnoff by providing the table top with a drawer in order to allow one or more items to be stored in the drawer, as taught by Williams, since both teach alternate conventional table top structure, used for the same intended purpose of supporting objects thereon, thereby providing structure as claimed.

Pinch teaches the idea of a table top constructed from blow-molded plastic, the table top including a lower surface, an upper surface spaced apart from the lower surface, and a hollow interior portion that is formed during the blow-molding process, the hollow interior portion being at least partially disposed between the upper surface and the lower surface; wherein the blow-molded plastic table top structure provides a light weight, yet sturdy table top. Therefore, it would have been obvious to modify the structure of Arnoff, as modified, by providing a table top constructed from blow-molded plastic, the table top including a lower surface, an upper surface spaced apart from the lower surface, and a hollow interior portion that is formed during the blow-molding process, the hollow interior portion being at least partially disposed between the upper surface and the lower surface for the purpose of having a light weight, yet sturdy table top, as taught by Pinch, since both teach alternate conventional table top structure, used for the same intended purpose, thereby providing structure as claimed.

18. Claims 13 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Arnoff, as modified, as applied to claim 10 above, and further in view of USP 2,697,018 to Georgides.

Arnoff, as modified, discloses all the elements as discussed above except for a length of the upper portion of the first leg is adjustable in length between a first position in which the first leg can be inserted into a desired pair of leg receiving recesses and a second position in which the first leg can be secured within another desired pair of leg receiving recesses.

Georgides discloses a table comprising a table top, two pairs of leg receiving recesses 9,33 disposed on the underside of the table top, a support assembly comprising a first leg including a body portion and an upper portion, wherein the body portion of the leg is defined as the distal end portion of member 27 shown in Fig 1, and the upper portion is defined as the rest of member 27 and member 23; a second leg 4; wherein a length of the upper portion of the first leg is adjustable in length between a first position in which the first leg can be inserted into a first desired pair of leg receiving recesses and a second position in which the first leg can be secured within a second desired pair of leg receiving recesses 33. The pairs of leg receiving recesses securely hold the first leg in the extended and collapsed positions. Therefore, it would have been obvious to modify the structure of Arnoff, as modified, by having a length of the upper portion of the first leg is adjustable in length between a first position in which the first leg can be inserted into a desired pair of leg receiving recesses and a second position in which the first leg can be secured within another desired pair of leg receiving recesses in order to securely hold the first leg in the extended and collapsed positions, as taught by Georgides, since both teach alternate conventional table having folding leg structure, used for the same intended purpose, thereby providing structure as claimed.

19. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Arnoff, as modified, as applied to claim 10 above, and further in view of USP 5,484,822 to Wu.

Arnoff, as modified, discloses all the elements as discussed above except for an opening integrally formed in a generally downwardly lip formed in the table top, the

opening being sized and configured to receive at least a portion of the first leg and the second leg when the first leg and second leg are in a collapsed position.

Wu teaches the use of an opening integrally formed in a generally downwardly lip formed in a table top to provide a recessed retainment to be old. Therefore, it would have been obvious to modify the structure of Arnoff, as modified, to include an opening integrally formed in a generally downwardly lip formed in the table top, the opening being sized and configured to receive at least a portion of the first leg and the second leg when the first leg and second leg are in a collapsed position, as taught by Wu, since both teach alternate conventional table having folding leg structure, used for the same intended purpose, thereby providing structure as claimed.

20. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over USP 4,168,669 to Arnoff in view of 3,123,935 to Williams and USP 5,603,267 to Soper.

Arnoff discloses a table comprising all the elements recited in the above listed claims including, such as shown in Figs 2, 4-5 & 8, a table top 1 constructed from plastic, the table top including an upper surface and a lower surface that is spaced apart from the upper surface; at least two pairs of leg receiving recesses 20-22 disposed on the underside of the table top; a single support assembly 2 that is sized and configured to support the table top above a surface, the single support assembly being capable of moving between an extended position in which the single support assembly supports the table top above the surface and a collapsed position to facilitate storage of the table, the single support assembly including only two legs 23-24, the single support assembly comprising: a first leg including a body portion and an upper portion, the upper portion

of the first leg being sized and configured to be selectively received and retained within one of the pairs of leg receiving recesses; and a second leg including a body portion and an upper portion, the upper portion of the second leg being sized and configured to be selectively received and retained within another of the pairs of leg receiving recesses, the first leg and second leg being pivotally interconnected to form a generally X-shaped configuration. In regard to claim 2, wherein the upper portion of the first leg can be selectively removed from one of the leg receiving recesses and received within another of the leg receiving recesses to allow a height of the table to be adjusted. The different being that Arnoff does not disclose a drawer slidably connected to the lower surface of the table top, and the leg receiving recesses integrally formed in the table top as part of a unitary, one-piece construction.

Williams teaches the idea of providing a table top with a drawer thereto in order to allow one or more items to be stored in the drawer. Therefore, it would have been obvious at the time of the invention to modify the structure of Arnoff by providing the table top with a drawer in order to allow one or more items to be stored in the drawer, as taught by Williams, since both teach alternate conventional table top structure, used for the same intended purpose of supporting objects thereon, thereby providing structure as claimed.

Soper teaches that it is well known in the art to provide a table top with leg receiving recesses 18,20 integrally formed in the table top as part of a unitary, one-piece construction. Therefore, it would have been obvious and well within level of one skill in the art to modify the structure of Arnoff, as modified, by having the leg receiving

recesses integrally formed in the table top as part of a unitary, one-piece construction, as taught by Soper, since both teach alternate conventional table having folding leg structure, used for the same intended purpose, thereby providing structure as claimed.

21. Claims 18 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over USP 4,168,669 to Arnoff in view of 3,123,935 to Williams, USP 6,058,853 to Pinch and USP 5,603,267 to Soper.

Arnoff discloses a table comprising all the elements recited in the above listed claims including, such as shown in Figs 2, 4-5 & 8, a table top 1 constructed from plastic, the table top including an upper surface and a lower surface that is spaced apart from the upper surface; at least two pairs of leg receiving recesses 20-22 disposed on the underside of the table top; a single support assembly 2 that is sized and configured to support the table top above a surface, the single support assembly being capable of moving between an extended position in which the single support assembly supports the table top above the surface and a collapsed position to facilitate storage of the table, the single support assembly including only two legs 23-24, the single support assembly comprising: a first leg including a body portion and an upper portion, the upper portion of the first leg being sized and configured to be selectively received and retained within one of the pairs of leg receiving recesses; and a second leg including a body portion and an upper portion, the upper portion of the second leg being sized and configured to be selectively received and retained within another of the pairs of leg receiving recesses, the first leg and second leg being pivotally interconnected to form a generally X-shaped configuration. In regard to claim 2, wherein the upper portion of the first leg

can be selectively removed from one of the leg receiving recesses and received within another of the leg receiving recesses to allow a height of the table to be adjusted. The different being that Arnoff does not disclose a drawer slidably connected to the lower surface of the table top, the table top including a lower surface, an upper surface spaced apart from the lower surface, a side wall, a hollow interior portion, and the leg receiving recesses integrally formed in the table top as part of a unitary, one-piece construction.

Williams teaches the idea of providing a table top with a drawer thereto in order to allow one or more items to be stored in the drawer. Therefore, it would have been obvious at the time of the invention to modify the structure of Arnoff by providing the table top with a drawer in order to allow one or more items to be stored in the drawer, as taught by Williams, since both teach alternate conventional table top structure, used for the same intended purpose of supporting objects thereon, thereby providing structure as claimed.

Pinch teaches the idea of a table top constructed from blow-molded plastic, the table top including a lower surface, an upper surface spaced apart from the lower surface, a side and a hollow interior portion that is formed during the blow-molding process, the hollow interior portion being at least partially disposed between the upper surface and the lower surface; wherein the blow-molded plastic table top structure provides a light weight, yet sturdy table top. Therefore, it would have been obvious to modify the structure of Arnoff, as modified, by providing a table top including a lower surface, and an upper surface spaced apart from the lower surface for the purpose of

having a light weight, yet sturdy table top, as taught by Pinch, since both teach alternate conventional table top structure, used for the same intended purpose, thereby providing structure as claimed.

Soper teaches that it is well known in the art to provide a table top with leg receiving recesses 18,20 integrally formed in the table top as part of a unitary, one-piece construction. Therefore, it would have been obvious and well within level of one skill in the art to modify the structure of Arnoff, as modified, by having the leg receiving recesses integrally formed in the table top as part of a unitary, one-piece construction, as taught by Soper, since both teach alternate conventional table having folding leg structure, used for the same intended purpose, thereby providing structure as claimed.

22. Claims 19-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Arnoff, as modified, as applied to claim 18 above, and further in view of USP 5,484,822 to Wu.

Arnoff, as modified, discloses all the elements as discussed above except for an opening integrally formed in a generally downwardly lip formed in the table top, the opening being sized and configured to receive at least a portion of the first leg and the second leg when the first leg and second leg are in a collapsed position.

Wu teaches the use of an opening integrally formed in a generally downwardly lip formed in a table top to provide a recessed retainment to be old. Therefore, it would have been obvious to modify the structure of Arnoff, as modified, to include an opening integrally formed in a generally downwardly lip formed in the table top, the opening being sized and configured to receive at least a portion of the first leg and the second

leg when the first leg and second leg are in a collapsed position, as taught by Wu, since both teach alternate conventional table having folding leg structure, used for the same intended purpose, thereby providing structure as claimed. In regard to claim 22, Arnoff, as modified by Wu by providing an opening, facilitates stacking of the table.

23. Claims 24-26, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over USP 4,168,669 to Arnoff in view of 3,123,935 to Williams, USP 6,058,853 to Pinch, and USP 5,484,822 to Wu.

Arnoff discloses a table comprising all the elements recited in the above listed claims including, such as shown in Figs 2, 4-5 & 8, a table top 1 constructed from plastic, the table top including an upper surface and a lower surface that is spaced apart from the upper surface; at least two pairs of leg receiving recesses 20-22 disposed on the underside of the table top; a single support assembly 2 that is sized and configured to support the table top above a surface, the single support assembly being capable of moving between an extended position in which the single support assembly supports the table top above the surface and a collapsed position to facilitate storage of the table, the single support assembly including only two legs 23-24, the single support assembly comprising: a first leg including a body portion and an upper portion, the upper portion of the first leg being sized and configured to be selectively received and retained within one of the pairs of leg receiving recesses; and a second leg including a body portion and an upper portion, the upper portion of the second leg being sized and configured to be selectively received and retained within another of the pairs of leg receiving recesses, the first leg and second leg being pivotally interconnected to form a generally

X-shaped configuration. In regard to claim 2, wherein the upper portion of the first leg can be selectively removed from one of the leg receiving recesses and received within another of the leg receiving recesses to allow a height of the table to be adjusted. The different being that Arnoff does not disclose a drawer slidably connected to the lower surface of the table top, and the table top including a lower surface, an upper surface spaced apart from the lower surface, and an opening integrally formed in a generally downwardly lip formed in the table top, the opening being sized and configured to receive at least a portion of the first leg and the second leg when the first leg and second leg are in a collapsed position.

Williams teaches the idea of providing a table top with a drawer thereto in order to allow one or more items to be stored in the drawer. Therefore, it would have been obvious at the time of the invention to modify the structure of Arnoff by providing the table top with a drawer in order to allow one or more items to be stored in the drawer, as taught by Williams, since both teach alternate conventional table top structure, used for the same intended purpose of supporting objects thereon, thereby providing structure as claimed.

Pinch teaches the idea of a table top constructed from blow-molded plastic, the table top including a lower surface, an upper surface spaced apart from the lower surface, and a hollow interior portion that is formed during the blow-molding process, the hollow interior portion being at least partially disposed between the upper surface and the lower surface; wherein the blow-molded plastic table top structure provides a light weight, yet sturdy table top. Therefore, it would have been obvious to modify the

structure of Arnoff, as modified, by providing a table top constructed from blow-molded plastic, the table top including a lower surface, an upper surface spaced apart from the lower surface, and a hollow interior portion that is formed during the blow-molding process, the hollow interior portion being at least partially disposed between the upper surface and the lower surface for the purpose of having a light weight, yet sturdy table top, as taught by Pinch, since both teach alternate conventional table top structure, used for the same intended purpose, thereby providing structure as claimed.

Wu teaches the use of an opening integrally formed in a generally downwardly lip formed in a table top to provide a recessed retainment to be old. Therefore, it would have been obvious to modify the structure of Arnoff, as modified, to include an opening integrally formed in a generally downwardly lip formed in the table top, the opening being sized and configured to receive at least a portion of the first leg and the second leg when the first leg and second leg are in a collapsed position, as taught by Wu, since both teach alternate conventional table having folding leg structure, used for the same intended purpose, thereby providing structure as claimed. In regard to claim 26, Arnoff, as modified by Wu by providing an opening, facilitates stacking of the table.

24. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Arnoff, as modified, as applied to claim 24 above, and further in view of USP 5,603,267 to Soper.

Arnoff discloses all the elements as discussed above except for the leg receiving members integrally formed in the table top as part of a unitary, one-piece construction.

Soper teaches that it is well known in the art to provide a table top with leg receiving recesses 18,20 integrally formed in the table top as part of a unitary, one-piece construction. Therefore, it would have been obvious and well within level of one skill in the art to modify the structure of Arnoff, as modified, by having the leg receiving members integrally formed in the table top as part of a unitary, one-piece construction, as taught by Soper, since both teach alternate conventional table having folding leg structure, used for the same intended purpose, thereby providing structure as claimed.

Conclusion

25. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ashby et al '567, Strong '352, Peterson, Matthews, Payne, Jr. et al, Cook, Mauser, White, and Von Allmen all show structures similar to various elements of applicant's disclosure.

26. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh V. Tran whose telephone number is (571) 272-6868. The examiner can normally be reached on Monday-Thursday, and alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on (571) 272-6867. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HVT
September 21, 2006

Hanh V. Tran
Art Unit 3637